



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

City Commission

Monday, December 14, 2015

6:30 PM

Deltona Commission Chambers

1. CALL TO ORDER:

2. ROLL CALL – CITY CLERK:

Present: 9 - Commissioner Herzberg
Commissioner Honaker
Commissioner Schleicher
Commissioner Smith
Commissioner Soukup
Vice Mayor Nabicht
Mayor Masiarczyk
City Manager Shang
City Attorney Vose

3. INVOCATION AND PLEDGE TO THE FLAG:

A. Invocation presented by Commissioner Honaker - Pine Ridge High School Chapter of the Florida Christian Athletes. National Anthem - Pine Ridge High School chorus.

Commissioner Honaker introduced Jeremiah Maraquin with the Pine Ridge High School Chapter of the Fellowship of Christian Athletes who gave the invocation and the Pine Ridge High School Chorus who sang the National Anthem.

4. APPROVAL OF MINUTES & AGENDA:

A. Approval of minutes - Regular Commission Meeting of November 16, 2015 - Joyce Raftery, City Clerk (386) 878-8502.

Motion by Commissioner Schleicher, seconded by Commissioner Herzberg, to approve the minutes of the Regular Commission Meeting of November 16, 2015. The motion carried by the following vote:

For: 7 - Commissioner Herzberg, Commissioner Honaker, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

5. PRESENTATIONS/AWARDS/REPORTS:

A. Recognition to Barry Koven, winner of the first “My City: I’m Part of It, I’m Proud of It” photo contest

The Mayor and Commission presented a certificate of recognition to Barry Koven for winning the first "My City: I'm Part of It, I'm Proud of It" photo contest.

B. Recognition to the Four Townes Family YMCA

The Mayor and Commission presented the YMCA with a Certificate of Recognition for all the organization does throughout the year and for giving out over \$255,000 in goods and services this year to Deltona residents that are struggling financially.

C. Recognition to the Deltona Wolves Football Team

The Mayor and Commission presented a Certificate of Recognition to the Principle of Deltona High School and former City of Deltona Commissioner, Carolyn Carbonell, for being the biggest cheerleader for the City and Deltona High School.

Also, the Mayor and Commission presented Certificates of Recognition to Coach Johnson, his coaching staff and the players of the Deltona High School Wolves Football Team for finishing a record setting season with a 7-3 record and being the district runner-ups to advance into the State playoffs for the first time in the school's history.

D. Super Star Student of the Month Certificates for November 2015

The Mayor and Commission presented Super Star Students of the month Certificates of Recognition for the month of November, 2015.

The City Manager stated the City has collected 557 toys and 1,475 pounds of food for those in need this season.

6. CITY COMMISSION SPECIAL REPORTS:

Commissioner Smith stated at the Florida League of Cities (FLOC) Conference she attended the homelessness and affordable housing session which was a dynamic conversation regarding the issue in the state of Florida. The direction of the conversation was more about homeless prevention and how much affordable housing plays a part. She stated she would like the City to consider having a special workshop to have a community conversation regarding the issue and bring in some of the specialists on the issue.

Commissioner Herzberg stated she attended the FLOC Conference and a leadership summit in South Florida but, she would like to defer her report to the first meeting in January.

Mayor Masiarczyk stated he attended the round table of elected officials and there is a big movement on family housing which is a rapidly moving, changing dynamic between Safe Harbor House and all the new programs. There is a new program with the School

Board where there is a conversation with the County about transforming an empty school in the Ormond Beach to be used as a shelter for homeless families and teenagers. He stated Deltona does not have the problem that other urban cities have and the City is trying to find a way to aide and assist in what is trying to be done.

Vice Mayor Nabicht stated he and Commissioner Schleicher attended the Legislative and Leadership Luncheon which was hosted by the Central Florida Labor Counsel. There was a presentation by Fighting Against Injustice Towards Harmony (F.A.I.T.H) regarding Safe Harbor. There was a discussion regarding the workforce and it was interesting that after the recession construction workers had to be retrained to do other lines of work and now there are not enough folks in the trades to meet the construction needs in the State. The start of the trade program at Pine Ridge High School is perfect timing and the City needs to try and ensure that there is a local hire clause in its contracts, to hire locally within the community, look for apprenticeships and people to learn the trades locally. Also, there was discussion from a gentleman who presented programs on pension plans and Florida Retirement System (FRS) here in Florida.

Mayor Masiarczyk asked the City Manager to forward on to the William S. Harvey Deltona Scholarship Advisory Board that it look at recognizing trade schools as an option for applying for scholarships and to add it as an amendment to their by-laws.

7. PUBLIC FORUM: - Citizen comments limited to items not on the agenda and comments on items listed on the agenda will take place after discussion of each item.

None.

CONSENT AGENDA: All items marked with an * will be considered by one motion unless removed from the Consent Agenda by a member of the City Commission. If an item is removed for clarification only, it will be discussed immediately following action on the Consent Agenda. If an item is removed for further discussion, it will be discussed under New Business immediately following the last listed item.

8. CONSENT AGENDA:

- A. Requesting City Commission Approval to begin negotiations with C.T. Hsu & Associates to design a new Senior Community Center & Gymnasium - Chris Bowley, Planning and Development Services, (386) 878-8602.**

Item was moved under New Business as Item 11-C.

- B. Request for approval of Resolution No. 2015-46. Approval of Prior Year (FY 2014/2015) Budget Carry Forward of General Fund funds - Robert Clinger, Finance Department (386) 878-8552.**

Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

Motion by Commissioner Honaker, seconded by Commissioner Schleicher, to approve Resolution No. 2015-46 to approve the carry forward of General Fund funds not spent in FY 2014/2015 in order to provide funding on certain on-going initiatives and sidewalks.

Mayor Masiarczyk read the title of Resolution No. 2015-46 for the record.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA; AMENDING THE ANNUAL GENERAL FUND BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015, AND ENDING SEPTEMBER 30, 2016 BY CARRYING FORWARD SURPLUS FUNDS PREVIOUSLY REALLOCATED IN THE FY 2014/2015 BUDGET; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion carried by the following vote:

For: 7 - Commissioner Herzberg, Commissioner Honaker, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

Resolution No. 2015-46 was adopted at 7:05 p.m.

C. Request to approve the proposed amendment for Fiscal Year 2015-2016 Residential Construction Management (RCMP) Grant Award - Chris Bowley, Planning and Development Services, (386) 878-8602.

Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

Motion by Commissioner Herzberg, seconded by Vice Mayor Nabicht, to approve the proposed budget amendment to add the \$194,000 RCMP grant funds into the 2015-2016 budget.

Mayor Masiarczyk read the title of Resolution No. 2015-09 which was adopted at the Regular Commission Meeting held on April 6, 2015, for the record and he asked that the word "his" be changed to "his or her."

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OF THE CITY OF DELTONA, FL OR HIS DESIGNEE, TO APPLY FOR AND TO FILE SUCH DOCUMENTS AS MAY BE REASONABLY REQUIRED FOR THE AVAILABLE RESIDENTIAL CONSTRUCTION MITIGATION COMPETITIVE GRANT PROGRAM FOR A MAXIMUM GRANT OF \$150,000 FROM THE 2015-2016 FLORIDA EMERGENCY MANAGEMENT AGENCY (FEMA); PROVIDING THAT THE CITY MANAGER OR HIS DESIGNEE SHALL BE AUTHORIZED TO EXECUTE THE GRANT AWARD AGREEMENT AND TO TAKE ALL NECESSARY ACTIONS, INCLUDING, BUT NOT LIMITED TO EXTENSIONS OF TIME, LINE-ITEM BUDGET AMENDMENTS, AND PROGRAM MODIFICATIONS, TO IMPLEMENT SAID PROGRAMS IF AND WHEN FUNDING IS APPROVED; AND, PROVIDING FOR AN EFFECTIVE DATE.

The motion carried by the following vote:

For: 7 - Commissioner Herzberg, Commissioner Honaker, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

9. ORDINANCES AND PUBLIC HEARINGS:

A. Public Hearing - Ordinance No. 28-2015, Rezoning of Property from PB (Professional Business) to C-1 (Retail Commercial), at second and final reading - Chris Bowley, Planning and Development Services, (386) 878-8602.

Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

City Attorney Vose read the title of Ordinance No. 28-2015 for the record.

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING THE OFFICIAL ZONING MAP PURSUANT TO CHAPTER 110, SECTION 1101 OF THE CITY CODE OF ORDINANCES FOR PROPERTY LOCATED AT 3096 AND 3108 HOWLAND BOULEVARD FROM PROFESSIONAL BUSINESS (PB) TO RETAIL COMMERCIAL (C-1) PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND EFFECTIVE DATE.

Motion by Commissioner Honaker, seconded by Commissioner Herzberg, to adopt Ordinance No. 28-2015, rezoning the subject property located at 3096 and 3108 Howland Blvd. from PB (Professional Business) to C-1 (Retail Commercial), at second and final reading.

The motion carried by the following vote:

For: 7 - Commissioner Herzberg, Commissioner Honaker, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

Ordinance No. 28-2015 was adopted at 7:09 p.m.

B. Public Hearing - Resolution No. 2015-42, Variance Request for a 75-SF Sign Area, in lieu of 48-SF Provided in the Sign Code - Chris Bowley, Planning and Development Services, (386) 878-8602.

Mayor Masiarczyk opened the public hearing.

Ruben Colon, Deltona Business Alliance, 559 Baldwin Court, Deltona, stated the organization met with City staff and it supports the Resolution and the RaceTrac project.

Mayor Masiarczyk closed the public hearing.

Mayor Masiarczyk read the title of Resolution No. 2015-42 for the record.

A RESOLUTION OF THE CITY OF DELTONA, FLORIDA, APPROVING A VARIANCE FOR ±3.9 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF SAXON BLVD. AND FINLAND DRIVE CONSISTENT WITH SECTION 102-51 OF THE CITY OF DELTONA LAND DEVELOPMENT CODE TO ALLOW FOR AN INCREASE OF MAXIMUM SIGNAGE AREA FROM 48 SQUARE FEET TO 75 SQUARE FEET; PROVIDING FOR CONFLICTS; SEVERABILITY; AND AN EFFECTIVE DATE.

Motion by Vice Mayor Nabicht, seconded by Commissioner Herzberg, to approve Resolution No. 2015-42 that allows for a variance to increase the maximum sign area from 48-SF to 75-SF to be located at 2001 Saxon Blvd. for the proposed RaceTrac development.

The motion carried by the following vote:

For: 7 - Commissioner Herzberg, Commissioner Honaker, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

Resolution No. 2015-42 was adopted at 7:13 p.m.

C. Public Hearing - Request for approval to submit the Program Year 2014-2015 CDBG Consolidated Annual Performance and Evaluation Report (CAPER) to the U.S. Department of Housing and Urban Development (HUD) - Chris Bowley, Planning and Development Services, (386) 878-8602.

Commissioner Smith stated this is a comprehensive report, she was concerned as to whether or not the City was spending the money and the impediments of the money and that the report was helpful in answering those questions.

Motion by Commissioner Herzberg, seconded by Commissioner Honaker, to approve the request to submit the Program Year 2014-2015 CDBG CAPER to HUD, as required by regulation.

The motion carried by the following vote:

For: 7 - Commissioner Herzberg, Commissioner Honaker, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

10. OLD BUSINESS:

None.

11. NEW BUSINESS:**A. Request for consideration and Approval of Amended Interlocal Agreement between Halifax Hospital Medical Center and the City of Deltona - Becky Vose, Legal Department (407) 448-0111.**

Bill Griffin, Director of Strategic Planning for Halifax Health, gave a PowerPoint presentation on the Halifax Crossing project to take place on Howland Blvd. near I-4 which included the objectives, the summary of expected services, the timing, and the conceptual view of Phase 2. The second portion of the presentation was on the Bella Vista project to take place on Howland Blvd. near S.R. 415 which included the objectives, the summary of expected services, the timing and the conceptual elevation Bella Vista Phase 1, an overhead view of the site and where the locations are located on a map of the City.

Commissioner Schleicher stated she is pleased and excited about the project. She asked that as the projects move forward that local construction companies and local people are hired to do the work and when the facility is finished that hiring local employees is a consideration also.

Mr. Griffin stated he attended a Deltona Economic Development Advisory Board meeting where that was discussed and there was a list of the jobs and qualifications created so that it could be put on the table now so that people can identify whether or not they have the skills to apply for those jobs and if they do not it gives them an opportunity to get those skills so they would be available for hire once the facilities open. It behooves Halifax to have people on its payroll who live where they work because they want to stay and there are fewer turnovers.

Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

Motion by Commissioner Honaker, seconded by Commissioner Schleicher, to approve the proposed amended Interlocal Agreement as presented. The motion carried by the following vote:

For: 7 - Commissioner Herzberg, Commissioner Honaker, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

B. Consideration of appointment of seven (7) members to the Parks and Recreation Advisory Board. - Joyce Raftery, City Clerk, (386) 878-8502.

The Mayor and Commission appointed/re-appointed the members to the Parks and Recreation Advisory Board as follows: Mayor Masiarczyk - Helen Dicks; Commissioner Soukup - Lonnie Wilson; Commissioner Herzberg - Michelle O' Connor; Commissioner

Honaker - Helen Pereira; Commissioner Schleicher - Julio DeLeon; Vice Mayor Nabicht - Bernice Ludvick; and Commissioner Smith - Nathan Johnson.

Motion by Vice Mayor Nabicht, seconded by Commissioner Herzberg, to confirm the Commission members' appointment(s) or re-appointment(s) with a term to expire on December 31, 2017 to the Parks and Recreation Advisory Board. The motion carried by the following vote:

For: 7 - Commissioner Herzberg, Commissioner Honaker, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

Requesting City Commission Approval to begin negotiations with C.T. Hsu & Associates to design a new Senior Community Center & Gymnasium - Chris Bowley, Planning and Development Services, (386) 878-8602.

Chris Bowley introduced Mr. Hsu and he gave a brief PowerPoint presentation which included some sample exterior elevations, some sample interior finishes, flexible interior space for events, interior meeting space/classrooms, interior public art, community gymnasium, exterior event space, and efficient construction & design flexibility.

Mr. Hsu stated the City is beautiful, the people are energetic, that his firm recently finished City Hall for Palm Coast which opened last month, he would be honored to work with the City on this project and he heard the Commission's focus to hire from the local workforce.

Mayor Masiarczyk stated the Commission will be very involved with the project and for Mr. Hsu to feel free to show the Commission any conceptual plans throughout the process so there will not be a lot of changes at the end of the project.

Motion by Commissioner Herzberg, seconded by Commissioner Schleicher, to approve beginning negotiations the top ranked firm, C.T. Hsu & Associates, P.A., and to enter into an agreement with them to provide the required services. The motion carried by the following vote:

For: 7 - Commissioner Herzberg, Commissioner Honaker, Commissioner Schleicher, Commissioner Smith, Commissioner Soukup, Vice Mayor Nabicht, and Mayor Masiarczyk

12. CITY ATTORNEY COMMENTS:

Mrs. Vose wished everyone a Merry Christmas.

13. CITY MANAGER COMMENTS:

Ms. Shang stated the City of Deltona was the recipient of a beautification award from

the Florida Planning Zoning Association (FPZA) as part of the City's beautification program. She gave a brief presentation showing the before and after photos of City Hall and the welcome signs leading into the City.

A. Discussion regarding trash removal.

Ms. Shang gave a brief PowerPoint presentation to show the Commission several trash issues which she has seen throughout the City to include cardboard boxes out by the road and left there for days, a home that had excessive trash due to a possible function that was not placed by the road appropriately, commercial trash left at the side of the road, having too much trash for the Waste Pro container, resident's belongings placed outside on their porches, trash not being put into Waste Pro containers, people not recycling or breaking down cardboard boxes and an example of trash cans on the road with the trash being placed properly in recycle bins and Waste Pro containers.

Ms. Shang stated Deltona is at a crossroads and as discussed at the visioning session the City needs to be beautified, to clean up the trash in the City and the need for more Code Enforcement. She stated she has worked with Waste Pro and has come up with some minor but, necessary revisions to the Waste Pro contract as follows:

First, that all solid waste must be placed in a Waste Pro container (either 96 or 64 gallon) and no more personal containers or plastic bags. Every resident was provided a Waste Pro container and for those who did not receive one, Waste Pro has agreed to replace it at no cost. For those who cannot physically maneuver the 64 gallon container, Waste Pro has a side door pick-up service for the elderly with medical conditions where a Waste Pro employee will pick up the container for dumping at the side door or garage door. Unlimited trash was never discussed but, it was discussed that five (5) times per quarter a resident could exceed the trash limits, however, if a person were to be habitual and continuous the resident would be required to purchase a second container from Waste Pro. She stated a 96 gallon container is more than sufficient, that recycling is unlimited, and that Waste Pro does not currently charge a tipping fee which saves the City money.

Second is bulk waste, Ms. Shang gave a brief description of the current procedure and she recommended that all bulk waste must be a scheduled pick up because currently Waste Pro has no idea when or where bulk waste is being left out, Waste Pro may not have the manpower or equipment to pick it up right away and it could be left at the curb for days.

Lastly yard waste, currently a resident can place four (4) 32 gallon containers or eight (8) bags or eight (8) cubic yards within a four (4) week period. She stated she has worked with Waste Pro who has agreed to one (1) Waste Pro container plus 12 bags or bundles which would be more than sufficient.

Ms. Shang stated with the mentioned changes which are reasonable, the City can fulfill its obligation to the community and clean up Deltona which is a "City on the move."

The Commission and the City Manager discussed the amount of trash after an event

such as a birthday or holiday, being able to use a personal 96 gallon container which is exactly like the one provided by Waste Pro for overflow, a second Waste Pro container costing \$31.56 a month to pick up whether it is used or not, keeping track of what is being picked up at each residence, that the personal container be industrial strength and Waste Pro not being responsible for damage to personal containers.

Vice Mayor Nabicht called for a point of order, he stated this item was not placed on the agenda for the public to know about. He stated he had asked that this subject be brought up at a workshop; this is going to be a very lengthy discussion. When the contract was signed with Waste Pro and the rate was increased, the people that attended the meeting were up in arms over the rate increase. The people were told they would be provided a garbage can and Commissioner Carmolingo would not approve the contract unless residents would be able to continue to use their own containers. The discussion is about raising people's garbage rates, that there will be an additional \$32 in order to receive another container and this should have been advertised to the public that the discussion was going to take place. He asked that the item be tabled and agenda it for either a regular meeting or a workshop, that the public be noticed in order to weigh in on the item and he will not support the conversation tonight.

The Commission discussed that the contract states there would be a cost for a second Waste Pro container, that residents could use personal containers, that trash is supposed to be put out 12 hours before the scheduled day of pick up, being in favor of cleaning up the City, Waste Pro supplying the recycling containers, most residents wanting their neighborhoods to look nice, leading by example, Waste Pro side door service, only using a Waste Pro container and not a personal container, charging those residents for having a second Waste Pro container, adding unlimited pick-up to the contract, having extra pick-ups for holidays like Christmas, New Years and sometime in the Spring, the issue being about educating the community regarding the overflow and getting residents to work with the City on the issue, the issue being renters and landlords, the residents needing an opportunity to voice their opinion on the topic, there being a lot of options in the contract that the Commission is discussing taking away now, not being against the City Manager's concept, the Waste Pro contract not going out to bid, wanting the contract to go out to bid, wanting unlimited pick-up for yard and household waste, if the problem is landlords and evictions then code needs to handle those issues, providing residents with a 64 gallon recycling container, trying to comply with the requirements of the contract and yet the trash is continually not being picked up, Waste Pro not sticking to the time or day schedules provided, to come up with an agreement with Waste Pro to provide what was promised, there being 1.8 million garbage pickups and 815 complaints (0.05%), if it is cost effective to provide the maximum amount of service, the yearly garbage rate does not change, a notice having to be mailed out to each resident of any increase in the contract, the Commission changing things constantly as the City changes, and the City having the second lowest contract in the County for what the City is paying.

Ms. Shang stated what has happened is it has become a free for all, the residents are taking advantage of the contract because it never said "unlimited," it said "occasionally" but, if a resident continuously has additional trash then the resident needs a second

container. A 32 gallon container does not hold that much, residents loose the lid and animals can get into it and residents can find another use for that container. Waste Pro will provide a container to those residents who do not have one and if a resident continuously has additional trash, \$36 is not a lot of money to ask of the residents. What is happening is that it is not the occasional breach it has gone too far the other way and the only other issue is the bulk waste which should be scheduled and the resident should pay the cost to have it removed. She stated she believes the request is reasonable and is more about changing habits.

The Commission discussed the City pays \$3.35 a week for trash removal per household, owing the public an opportunity to voice their opinion regarding the proposed changes, wanting to see the proposed changes highlighted in the contract, some areas of Deltona being unique and possibly having more trash than the average resident, and needing to educate and notify the residents of the process.

Deputy City Manager Dale Baker stated after talking with Waste Pro, there is enough wiggle room in the contract so there is no need to change the contract but, what would be changed is the City ordinance which is what staff enforces. The plan is to do an educational campaign, bring the ordinance changes to the Commission at the first meeting in January, have the second reading also in January and then have staff start enforcing the revised ordinance in February. He stated again that his understanding is that the ordinance will be modified and not the contract.

Mayor Masiarczyk asked if the current contract with Waste Pro allows residents to use personal containers and garbage bags and Mrs. Vose replied the City enforces the ordinance and the contract is between the City and Waste Pro. She stated it would be possible to change the ordinance which would go through the public hearing process and not be required to change the contract.

Mayor Masiarczyk stated he wanted to see the portions of the contract that conflict with the ordinance, the proposed changes and to have a public hearing. Mrs. Vose stated the ordinance cannot be changed as a policy; it would need to go through the ordinance process.

Ms. Shang stated what she wanted was direction from the Commission, is she going in the right direction. She stated the goal was to initiate educating the public, go through the public hearing process of adopting the ordinance changes at first and second readings in January and the goal was to start enforcement on February 1st. She stated what she is hearing is to delay that even further because the Commission wants to have a workshop or go right into the public hearing to have a dialog, to receive Commission approval because some of the Commission are saying move forward and some are not and she does not know what the Commission wants her to do.

Mayor Masiarczyk stated right now it is unclear what can or cannot be done, he has no problem changing the ordinance, most of the pictures that were displayed had no issue with the containers but, it was residents leaving trash outside of the container, not in plastic bags and where there was a code violation. He stated the changes cannot be put into

effect until everyone is sure what the rules are. He stated he also wanted to discuss commercial trash removal.

Ms. Shang stated she will put a packet together to send out to all the Commission, she has all the material such as the code changes and a comparison between the contract and the ordinance. She stated Waste Pro has been very cooperative, the issue has a domino effect and she is asking that staff, the community and Waste Pro work together.

Commissioner Herzberg asked what the current policy is regarding bulk waste and if it is not picked up what happens. Mr. Baker replied it goes out with the normal garbage 12 hours before and 12 hours after and if it is not done this way it is an ordinance violation, however, the problem is there is only one (1) solid waste officer for the entire City. The City Manager has now hired a second solid waste officer but, two (2) officers to cover 46 square miles and 33,000 homes does not work. What staff is trying to do with the educational campaign is to utilize the code enforcement officers during their downtime which is due to there not being in high grass season but, staff just cannot get to all of them.

Mayor Masiarczyk stated the City had looked into issuing a ticket, a fine, like in New York but, according to Florida Statutes the City cannot do that. He stated he used to own property in New York and if a person does not sweep the snow off the stoop they are ticketed that day and Mrs. Vose replied to let her look into it because she believes something could be worked out.

Vice Mayor Nabicht asked if in regards to bulk waste was staff tracking the violations as to whether the properties are owner occupied or rental properties and Mr. Baker replied no, the only way to know is if the officer personally dealt with the resident and made a note in the file or by going into the property appraiser's website to see if the property is homesteaded. Vice Mayor Nabicht stated it would be good information for the Commission to see how many of the properties are rentals and how many are owner occupied. He stated he believes a lot of them are rentals and that the answer may be to work with the landlords. Mr. Baker replied a lot of the issue is evictions, under State law once the tenant is evicted the landlord has 24 hours to put their belongings to the curb and then staff contacts the landlord that they have 24 hours to remove the trash from the curb, so it is an ongoing cycle.

Mayor Masiarczyk reminded everyone that the 20th Anniversary Celebration will take place tomorrow night from 5:00 to 7:00 p.m. in Commission Chambers.

After discussion, the Commission concurred to have staff provide a copy of the contract with Waste Pro and the Ordinance showing the proposed changes and that the topic be advertised and scheduled for a public meeting for further discussion.

14. CITY COMMISSION COMMENTS:

Commissioner Smith stated she attended the ribbon cutting for the waste water treatment plant and she encouraged residents to take a tour of the facility. She thanked

staff and the volunteers for their efforts with the Christmas Parade and the Santa's Workshop and she also thanked the Deltona High School's Reserve Officers' Training Corps (ROTC) for stepping in for the Honor Guard at the Parade. She stated a lot of the toys on the dais were donated by those students and other participants of the parade.

Commissioner Smith asked for the status on the Strategic Plan and Ms. Shang replied she has been working with staff, there have been a few revisions but, she should have something next week and it will be placed on a workshop in January.

Commissioner Smith stated she is really struggling with the City Manager Agenda Review Meetings where the Commission has an opportunity to ask questions and have discussion but, she feels that it hinders the conversation at the dais. She gave the example that she had an issue with the RaceTrac variance request but, after hearing from staff she was fine with it. Although the meeting is audio taped, someone would have to request the audio and she asked the Commission to consider whether or not that part of the process is really necessary. She stated each Commissioner reviews the agenda with the City Manager and she feels it is a hindrance to transparency. She wished everyone a Happy Holidays.

Vice Mayor Nabicht stated he is sorry he missed the Christmas Parade but, he was celebrating his and his wife's 30th wedding anniversary that weekend. He stated it takes a lot for staff to put these events together and doing them back to back such as the lighting of City Hall, Santa's Village and the 20th Anniversary Celebration. He stated at the visioning session the public stated they wanted more community events; the City pays to maintain the Amphitheater and Library which hopefully will have some improvements made to it and to direct the City Manager to put on more events at that facility. He stated he wanted to clarify for the public the conversation that took place at last meeting regarding the City Clerk's budget which was in reference to \$22,000. He stated \$14,000 was a salary adjustment to bring the City Clerk's salary in line with other municipalities, \$4,000 was related to promotions of the Administrative Assistant and Deputy City Clerk, and another \$4,000 for an additional cost of the Granicus program. He stated there was not a breakdown of the cost that night, he was one (1) of the Commissioners who had an issue with the item and he wanted to clear it up and provide the information to the public that it was appropriate and there was a reason for it. He wished all the Commission, staff and residents a very safe and happy holiday.

Commissioner Schleicher stated she wants to keep talking about hiring local, that staff does not get credit as much as it should for all the events that are put on and she does not know of many cities who would have events back to back like Deltona did. She stated some do not celebrate Christmas for whatever reason and she hopes they have a wonderful and relaxing holiday season, to her Jewish friends she hopes they had a happy Hanukkah and to everyone else Joyeux Noel, Feliz Navidad and Merry Christmas.

Commissioner Honaker stated he had his last quarterly meeting on the 9th and one (1) of the things mentioned is the location of the bus stops which do not have street lights and needing to coordinate with school board on this issue. He stated the residents were

in agreement with beautifying Deltona, he looks forward to seeing everyone at the 20th Anniversary Celebration tomorrow night, he reminded everyone that on January 16th will be the Martin Luther King breakfast at 8:00 a.m. at New Hope Baptist Church and he encouraged everyone to sign up with a Relay For Life team. He stated there was an article in the News Journal on a Paul Holub Jr., local real estate developer, who each year donates \$2,000 a day for the 12 days of Christmas to those in need who write a letter to "The12daysxmas@gmail.com." He stated Hope Place helps find families and teens a place to live and assists them with getting jobs and getting on their own feet. He also recognized Halifax Urban Ministries for all the work they do for those in need. He wished everyone a Merry Christmas and a happy and safe New Year.

Commissioner Herzberg stated she received an email from the Community Connector who is doing point in time volunteers, the Volusia/Flagler Coalition for the Homeless is going to be doing a survey on January 26th and 27th at different sites all around the county and there will be volunteer training sessions. She stated she would like to have volunteers from Deltona to participate in the survey, the more volunteers Deltona has the better and there will be four (4) training sessions in January. She thanked staff for what it managed to do this month with regards to events, the community is working together and she works with an amazing group of volunteers. She wished everyone a Happy Hanukkah, Merry Christmas and Happy New Year.

Commissioner Soukup stated Pastor Bradley talked him into participating in Hope Fest where people donate whatever they do not want and it is re-gifted to those in need. He encouraged everyone to tour the waste water treatment plant which is a State of the art facility. He stated he and Commissioner Honaker attended the Vocational Technical Education (VTE) showcase which offers vocational classes for the high schools and he encouraged the Commission to become vocal on the issue of VTE, Deltona has 65% of its kids graduating, there are six (6) academies within two (2) high schools and he encouraged the Commission to be more vocal to all the School Board and the Superintendent to bring more of these programs to Deltona. He stated he met Darryl Strawberry who opened up a rehab center in DeLand, the lighting of City Hall looks gorgeous and he cannot wait to see what is done next year. He wished everyone a Merry Christmas and Happy New Year.

Mayor Masiarczyk stated he really wanted to thank each one of the Commissioners, Commissioner Smith for stepping in and to each of their significant others because without their support the Commissioners could not do what they are doing. He stated Ms. Shang has been added to the community; Mrs. Vose is always here if the Commission runs astray. He stated this Commission is clicking and he has all the hope in the world that next year the City can make the advances it has made in the last six (6) months. He stated the Commission works together even though it does not always agree. He invited everyone to the event tomorrow and he wished everyone a Merry Christmas and Happy Holidays.

15. ADJOURNMENT:

There being no further business, the meeting adjourned at 8:48p.m.

John Masiarczyk Sr., Mayor

ATTEST:

Joyce Raftery, CMC, MMC, City Clerk